

Public Health Committee
March 18, 2015
SB 998: AN ACT CONCERNING PRESCRIPTION DRUGS

Thank you for allowing us to provide testimony in support of SB 998, AN ACT CONCERNING PRESCRIPTION DRUGS. We would like to thank the Public Health Committee for looking at this issue and recognizing the potential consumer safety issues of counterfeit/Black Market drugs.

This issue is of particular concern to Allergan. Allergan is a global pharmaceutical company focused on developing, manufacturing, and commercializing innovative pharmaceuticals and biologics. Allergan is focused on several areas which include, central nervous system, Eye Care, Medical Aesthetics, Gastrointestinal, Women's Health, Urology, Cardiology, and Anti-Infective therapeutic categories.

Black Market drugs, or in this case the distribution and sale of counterfeit and illegal imported prescription drugs, have become an issue in Connecticut. This legislation is a great start to addressing the aforementioned issues.

With advancements in technology as well as the growth of healthcare costs, we are witnessing a dramatic increase in the amount fraudulent prescription drugs and medical devices being sold across the country, and Connecticut for that matter. Selling and distributing Black Market drugs and devices is not only an enormous patient safety concern but also runs afoul of both Federal and State statute.

This illegal and unethical behavior takes many forms. While the most common way is the counterfeiting of prescription drugs, we have seen a drastic increase in the illegal importation of drugs from foreign countries. In this case, it is often times organized crime syndicates in foreign nations that are removing these prescription drugs from the secure supply chain of custody and re-selling them into the United States via "Canadian Pharmacies."

The US Food and Drug Administration (FDA) has stepped up its efforts over the last several years as we have witnessed several instances where prescription medications – most notably cancer medications – have been sold on the Black Market. In 2014, the Food and Drug Administration's Office of Criminal Investigations announced guilty pleas by several individuals for importing and selling misbranded drugs (<http://www.fda.gov/ICECI/CriminalInvestigations/ucm374367.htm>). The same pattern played itself out in 2013, when a New York based company was found to be selling counterfeit drugs (<http://www.safemedicines.org/2013/02/new-counterfeit-avastin-found-medical-practitioners-advised-by-fda-to-be-wary-of-unfamiliar-wholesal-513.html>). In both cases, counterfeit and illegal imported drugs were being sold to medical professionals at discounted prices with the intent of putting profit before consumer safety.

The State of Connecticut has an obligation of protecting consumers against the harmful effects associated with the sale and distribution of illegal and unsafe products. It is with this in mind that

we recognize that the FDA – with its limited resources – cannot be the only entity tasked with fighting this consumer safety threat.

To ensure patient safety and to fight the scourge associated with counterfeit/Black Market drugs, it is imperative that the State of Connecticut proactively and forcefully adjudicates those entities, which are facilitating this illegal activity. Thank you for allowing this testimony.